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GENERAL ASSEMBLY
Fiftieth session
REPORT OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

SECURITY COUNCIL
Forty-ninth year

Letter dated 28 December 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith copies of the following documents:

(a) Law on Compilation and Dissemination of Data concerning Crimes Committed against Humanity and in Violation of International Law, adopted by the Assembly of the Federal Republic of Yugoslavia on 24 July 1993 (annex I);

(b) Decree Establishing the Committee to Compile Data on Crimes against Humanity and in Violation of International Law, adopted by the Federal Government on 27 May 1993 (annex II);

(c) Letter from the Deputy Prime Minister and the Federal Minister of Justice, Mr. Uroš Klikovac, of 20 December 1994, addressed to Justice Richard Goldstone, Prosecutor, concerning the cooperation between the Government of the Federal Republic of Yugoslavia and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (annex III).

I should be grateful if you would have the present letter and its annexes circulated as an official document of the General Assembly, under the item entitled "Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed

in the Territory of the Former Yugoslavia since 1991", and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

ANNEX I

Law on Compilation and Dissemination of Data concerning Crimes Committed against Humanity and in Violation of International Law

Article 1

Those who compile data and things or dispose with the data and things that could evidence crimes against humanity and international law, stipulated in Chapter XVI of the Criminal Code of the Federal Republic of Yugoslavia as of 1990, shall be obliged to make these data and things available, namely, submit them to the Committee to Compile Data on Crimes against Humanity and in Violation of International Law (hereinafter referred to as "the Committee").

Article 2

A person knowledgeable of a crime referred to in Article 1 of the present Law may make a statement to that effect to the Committee.

Article 3

As soon as the data and things referred to in Article 1 of the present Law are compiled by a competent federal organ, state organ cooperating with the competent federal organ or the person authorized by the Committee they shall be obliged to enter the data on persons, things and events into a special form.

The form mentioned in paragraph 1 of the present Article shall be prescribed by the Committee.

Article 4

Judicial authorities and other state organs shall be obliged to offer legal assistance to the Committee.

Article 5

Data and things referred to in Article 3 of the present Law shall be accessible to all under equal terms, except data established to constitute state, military, official or business secrets.

Article 6

The Committee may entrust the data and things compiled to a scientific or professional institution for processing, findings or opinion.

The Committee shall determine whether the data, findings and opinion referred to above shall be published.

Article 7

The Committee shall be obliged to preserve in secrecy the identity of a person who acted in conformity with Articles 1 and 2 of the present Law, if he so wishes.

Article 8

If anyone refuses to make available or submit the data referred to in Article 1 of the present Law, the Committee may demand their temporary requisition by the competent court.

Article 9

Persons who would make available or submit the data or make a statement in conformity with the provisions of the present law shall be entitled to a compensation for damage and necessary expenses, which shall be determined by the Committee if so requested by the person.

Article 10

Those who shall refuse to make available or submit the data and things referred to in Article 1 of the present Law or who shall prevent submission, namely, availability for inspection, of such data and things shall be punished for a criminal act by a fine or prison up to one year.

If the act referred to in paragraph 1 of the present Article shall be committed by an officer or a responsible person, he or she shall be punished for a criminal act by a prison sentence of from three months to three years.

Article 11

On the date of entry of the present Law into force, the Decision establishing the State Commission compiling the data conducive to the determination of the crime of genocide and other crimes against humanity and international law committed against the population of Serb and other nationalities at the time of armed conflicts in Croatia and other parts of the country (Official Gazette of SFRY No. 18/92) shall be null and void.

Article 12

Documents available to the State Commission referred to in Article 11 of the present Law shall be transferred to the Committee within eight days as of the date of entry into force of the present Law.

Article 13

The present Law shall enter into force on the eighth day from the date of its publication in the Official Gazette of the Federal Republic of Yugoslavia.

ANNEX II

Decree establishing the Committee to Compile Data on Crimes against Humanity and in Violation of International Law

1. Basic provisions

Article 1

With a view to compiling data and doing things conducive to evidencing crimes against humanity and in violation of international law as stipulated in Chapter XVI of the Criminal Code of the Federal Republic of Yugoslavia, committed in parts of the territories of former Yugoslavia as of 1990, a Committee is formed to compile data on crimes against humanity and in violation of international law (hereinafter referred to as "the Committee"), as a separate federal organ.

The Committee shall be autonomous in its work.

Article 2

The Committee shall be composed of nine members.

The Committee Chairman, Deputy Chairman and members shall be appointed by the Federal Government.

Article 3

The seat of the Committee shall be in Belgrade.

2. Scope

Article 4

The Committee shall have the following scope of work:

1. Arrangements for and compilation of data concerning:

(1) Murders, heavy body injuries, harm to physical and mental health of civilians;

(2) Forced displacement and resettlement of population;

(3) Attacks against the civilian population;

(4) Hostage taking and collective punishment;

(5) Illegal detentions and placements of civilians into concentration camps;

(6) Deprivation of the right to due and fair trial;

(7) Imposition of forced labour;

(8) Confiscation of civilian property;

(9) Damage or destruction of civilian property not caused by military needs;

(10) Attacks against facilities specially protected under international law;

(11) Murders, torture and inhuman treatment of the wounded, the sick, medical personnel and religious personnel;

(12) Murders, torture and inhuman treatment of detainees and prisoners of war;

(13) Illicit taking away of belongings of the wounded and killed;

(14) Use of non-permissible combat means;

(15) Inhuman treatment of the wounded, the sick, detainees and prisoners of war, including preventing them to avail themselves of the rights to which they are entitled under the rules of international law;

(16) Damage, destruction and robbery of culture and historic monuments, or public or humanitarian facilities;

(17) Abuses of international law;

(18) Violations of fundamental human rights and freedoms recognized by the international community, based on discrimination on religious and ethnic grounds;

(19) Other forms and consequences of crimes committed against humanity and in violation of international law;

(20) Perpetrators, those who directed them and organized the commission of crimes against humanity and international law;

(21) Criminal proceedings that were conducted or are under way for crimes against humanity and in violation of international law.

2. The Committee shall have the compiled data and evidencing materials organized in a professional way with a view to:

(1) Submission to the competent state authorities for prosecution of perpetrators of criminal activities against humanity and in violation of international law;

(2) Inclusion in corresponding background papers, statements and reports;

(3) Advising the Federal Government and other state organs of their performance;

(4) Cooperating with corresponding United Nations bodies, international, government and non-governmental organizations and similar bodies formed in the territory of the former Socialist Federal Republic of Yugoslavia;

(5) Informing domestic and international public of its work.

Apart from the tasks enumerated in paragraph 1 of the present Article, the Committee shall be involved in other business relevant to the accomplishment of the goals it has been established to pursue.

3. Set-up and methodology

Article 5

The Committee shall proceed in compiling data directly, by recruiting the necessary staff or by assigning the job to a scientific research institution.

In pursuance of the tasks referred to in Article 4 of the present Decree, the Committee shall cooperate with the competent military and civilian authorities, organizations and individuals.

Article 6

If the Committee would be unable to establish contact with corresponding bodies outside the Federal Republic of Yugoslavia in determining certain facts or obtaining certain evidence, or if any fact or evidence proves to be disputable, the Committee may request the Federal Government to move a procedure for the establishment of such facts or evidence by a separate commission of the United Nations in conformity with the Declaration on the determination of facts in the sphere of preservation of international peace and security.

Article 7

The Chairman of the Committee may decide to invite representatives of State organs and scientific and professional institutions, as well as distinguished experts in the country or from abroad who may take part in the Committee's deliberations.

The sessions of the Committee may be attended by representatives of corresponding United Nations bodies and international government and non-governmental organizations as well as of the parallel bodies formed in the territory of the former Socialist Federal Republic of Yugoslavia.

Article 8

The Committee shall decide by majority vote on the total Committee membership.

Article 9

The Committee shall adopt its Rules of Procedure.

Article 10

The Chairman of the Committee shall guide its work.

The Chairman shall convene and preside over the sessions of the Committee.

The Chairman of the Committee shall be obliged to convene sessions of the Committee at the request of the Prime Minister or on the proposal of three of the Committee members, at least.

Article 11

The Chairman of the Committee shall look after the implementation of the decisions of the Committee, shall inform domestic and world public of the Committee's work and perform other tasks according to the Rules of Procedure.

Article 12

The Chairman of the Committee, his Deputy and members of the Committee may hold permanent employment.

Members of the Committee without permanent employment status will have remuneration for their engagement in the amount to be fixed by the Federal Government, on the proposal of the Committee Chairman.

Article 13

The Committee may form its ad hoc bodies to study individual issues or perform other tasks within the competence of the Committee.

Article 14

Administrative affairs for the Committee shall be performed by the Committee staff, to be recruited by the Federal Government on the proposal of the Committee.

4. Transitory and final provisions

Article 15

The Committee shall, within 15 days from its appointment, submit the by-law establishing its staff, referred to in Article 14 of the present Decree, and adopt Rules of Procedure.

Article 16

The present Decree shall take effect on the eighth day after the day of its publication in the "Official Gazette of the Federal Republic of Yugoslavia".

Federal Government

27 May 1993

Prime Minister
(Signed) Dr. Radoje KONTIC

ANNEX III

Letter dated 20 December 1994 from the Deputy Prime Minister and Federal Minister of Justice of Yugoslavia addressed to the Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

In connection with your letter of 14 October, the Federal Government of FR Yugoslavia, proceeding from its positions on the International Criminal Tribunal for the criminal prosecution of persons responsible for serious violations of international humanitarian law in the territory of the former Yugoslavia - which I expounded to you during our talks in Belgrade and of which Mr. Boutros Boutros-Ghali, the United Nations Secretary-General, has also been informed on two occasions - again discussed all pertinent questions related to the possible modalities of cooperation with the International Tribunal and/or the Prosecutor of the Tribunal and adopted the following stances:

(a) In accordance with valid positive Yugoslav legislation, the competent organs of FR Yugoslavia will make possible such cooperation with the International Criminal Tribunal, and/or the Prosecutor of the Tribunal, as will contribute to the criminal prosecution of perpetrators of criminal acts against humanity and international law contained in chapter XVI of the Criminal Code of FR Yugoslavia;

(b) To that end the competent organs of FR Yugoslavia will make adequate provision for the submission of appropriate documentation related to the commission of criminal acts against humanity and international law in cases where this is of bearing on the criminal prosecution of perpetrators of the mentioned criminal acts, on condition that no possibilities exist for their criminal prosecution before national courts;

(c) In cases when the International Criminal Tribunal and/or the Prosecutor of the Tribunal addresses a letter rogatory for legal assistance, their representatives may be present in the course of investigations which will be undertaken by domestic courts on the basis of regulations in force and may ask questions and seek explanations through the investigating judge;

(d) Representatives of the International Criminal Tribunal and/or the Prosecutor of the Tribunal may also attend trials before domestic courts for criminal acts in which they are interested, with prior notification to the court before which the criminal trial in question is being conducted, unless the public has been barred from the trial in conformity with the relevant provisions of the Law on Criminal Procedure;

(e) The competent judiciary bodies of FR Yugoslavia will examine all evidential material, including that possibly submitted by the International Criminal Tribunal and/or the Prosecutor of the Tribunal, which may serve for the criminal prosecution of perpetrators of criminal acts against humanity and international law who are in the territory of FR Yugoslavia and, if legal

conditions therefor exist, institute criminal proceedings against the perpetrators of such acts before the competent courts in FR Yugoslavia;

(f) As regards your request for liaison officers to be appointed in Belgrade and appropriate working conditions to be ensured for them, the Federal Government is prepared to make it possible for one representative of the International Criminal Tribunal, and/or the Prosecutor of the Tribunal to be present within the framework of the United Nations Protection Force in Belgrade, without having the right to specifically display the title of the International Criminal Tribunal and/or the Prosecutor of the Tribunal. This representative would be enabled contacts with the responsible federal and republican bodies and non-governmental organizations, on the understanding that he would be in no position to undertake investigative action vis-à-vis domestic physical persons. The representative of the International Criminal Tribunal and/or the Prosecutor of the Tribunal would enjoy the privileges and immunities applicable to United Nations staff;

(g) The arrangement described in the previous paragraph is based, inter alia, on the fact that there was no war in the territory of FR Yugoslavia and hence no commission of any of the mentioned criminal acts, wherefor the work of the International Criminal Tribunal and/or the Prosecutor of the Tribunal should focus on those territories where war operations took place and where the largest number of perpetrators of criminal acts against humanity and international law, their victims and proof can be found.

In the letter which you sent me on 28 November, you showed an interest in the trial of Duško Vučković, about which as you say you learned from the media. In that connection I can inform you that on the basis of the charges against the indicted Duško Vučković made by the District Public Prosecutor's Office in Šabac, the Republic of Serbia, for the criminal act of war crime against civilians from article 142, paragraph 1, of the Criminal Code of FR Yugoslavia and the criminal act of rape from article 103, paragraph 1, of the Criminal Code of the Republic of Serbia, the main hearing in this case started before the District Court in Šabac on 22 November. It was a public hearing so that it was attended by a large number of domestic and foreign journalists.

May I, in concluding this letter, draw your attention to the observation that the discussion before the International Tribunal on the assumption of jurisdiction in the case of Dušan Tadić as well as the fact that the beginning of the work of the Tribunal involves trials against two persons of Serbian nationality, seriously call in question assurances of the Tribunal's impartiality, which may adversely affect our future cooperation.

Uroš KLIKOVAC

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS; HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 28 December 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a letter from His Excellency Mr. Vladislav Jovanovic, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under the item entitled "Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms; human rights situations and reports of special rapporteurs and representatives".

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

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ANNEX

Letter from the Minister for Foreign Affairs of the Federal Republic of Yugoslavia addressed to the Secretary-General of the United Nations

Article 2 of the International Covenant on Civil and Political Rights provides that: "Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status". The Republic of Croatia is one of the rare European countries which does not abide by the commitments it has made under the Covenant vis-à-vis its citizens of Serb nationality and Orthodox religion. By these acts, the Republic of Croatia also violates articles 1, 2 and 4 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Proceeding from the fact that belonging to the Orthodox Church has been the principal reason for the failure to assimilate Serbs in this region throughout centuries, the present authorities in Croatia, emulating as a role model, the Nazi regime of Ante Pavelic, a war criminal and Hitler collaborator from 1941 to 1945 (whose pictures hang on the walls of Croatian Army barracks today) carry out the policy of conversion of Serbs to Catholicism or of the expulsion of Serbs from Croatia. Children in preschool and school institutions, as well as priests of the Serbian Orthodox Church, are the special target of the onslaught.

It is certainly the right of Croatia to introduce religious instruction in school curricula as an optional subject, scheduled for the second or third period rather than for the beginning or the end of the school day. Religious instruction is taught by Catholic priests, and ever since its beginning, children of Serb nationality and Orthodox religion have not attended these classes. But, because of their non-attendance, these children have been branded as non-Christians and subjected to harassment and disparagement. In order to spare their children the harassment and to ensure them a normal education, their parents requested the Serbian Orthodox Church communities to issue them certificates that their children had been baptized in the Orthodox Church, and they presented these certificates to Catholic priests who took the children to the first Communion in Catholic churches and then sent them to Catholic religious instruction classes. According to the data presented in the Sabor of the Republic of Croatia, about 10,000 Orthodox children have been converted in this way to Catholicism (the Sabor deputy who revealed this information in public was physically attacked in the Sabor by Sabor deputies of the ruling Croatian Democratic Community). The requests of parents for the issuance of baptism certificates and the requests of Catholic churches to that effect are incontestable proof of the existence in Croatia of the practice of religious conversion under social and mental pressure.

The Croatian authorities claim that the phenomenon of religious conversion is the consequence of the fact that the Serbian Orthodox Church has not organized religious education for Orthodox children in Croatian schools,

although it is allowed to do so under the law. Unfortunately, the Croatian authorities have failed to state publicly that Serb churches in Croatia are being pulled down and that Orthodox priests are being arrested and tortured in prisons. Most of the clergy of the Serbian Orthodox Church have therefore been expelled from Croatia, including five of its bishops. They are not allowed to return to Croatia by the Croatian authorities, but even if they were, neither the bishops nor the priests would have a place to return to, as many Orthodox churches and parish residences have been destroyed. (In the five eparchies of the Serbian Orthodox Church in the territory of the AVNOJ Croatia, 279 religious establishments have been destroyed or damaged: 70 churches have been destroyed and 101 severely damaged; 56 church residences have been destroyed and 24 severely damaged; 10 chapels have been destroyed and 4 severely damaged; 4 church cemeteries have been destroyed; and 2 monasteries have been severely damaged.)

The Orthodox Church Library in Pakrac, established in 1690, was destroyed, and the Serbian Orthodox Church Museum in Zagreb, containing exhibits from the thirteenth to the sixteenth centuries, was blown up.

Even if the exceptionally small number of remaining Orthodox priests in the Republic of Croatia were provided normal working conditions (which they are not), they would not be able to teach religion to all remaining children in the Republic of Croatia.

The amount of disrespect that the Croatian authorities show for the Serbian Orthodox Church and the Serb people is evinced also by the decision of 4 October 1994 of the Construction Inspection of the Daruvar Office of the Bjelovar/Bilogorje Zupanija (see appendix I). By this decision, the inspector ordered the "Greek Eastern Church of Our Lady" (Croatian authorities avoid using the appropriate term "Serbian Orthodox Church" and use "Greek Eastern Church" instead) to remove the building of the Orthodox church at Siras, which had been dynamited, because it constituted a direct threat to adjacent buildings, the life of people and the safety of traffic. At the same time, this Croatian State organ warned the Serbian Orthodox Church that, prior to the removal of the church at Siras, it had to obtain the approval of the Regional Institute for the Protection of Cultural Monuments in Osijek, as the building was protected as a cultural monument. However, in explanation of the decision, construction inspector Mirjana Horvat admitted that the Serb church had been completely destroyed and that the usable material had been taken away. Of course, this is not the only Orthodox church destroyed outside combat areas with the knowledge of the Croatian authorities (episcopal residences in Zagreb, Karlovac and Pakrac were also dynamited). The purpose of the destruction of the Serb churches by dynamiting them is obvious: to destroy and erase the traces of the Serbian Orthodox Church and its believers living in some parts of the former AVNOJ Croatia.

By informing you of this tragic discrimination against the Serb people in the Republic of Croatia on the basis of religion, I plead with you to take measures, within the framework of your authority, to compel the Government of

the Republic of Croatia to fulfil its international commitments under the International Covenant on Civil and Political Rights and other international instruments.

(Signed) Vladislav JOVANOVIC
Minister for Foreign Affairs
Federal Republic of Yugoslavia

APPENDIX I

Decision of 4 October 1994 of the Daruvar Office of the Bureau for Landscaping, Housing and Communal Affairs, Construction and Environmental Protection, Bjelovar/ Bilogorje Zupanija, Republic of Croatia

Pursuant to article 55 and in compliance with articles 53, 58 and 59 of the Law on Construction (People's Gazette of the Republic of Croatia, No. 77/92), the Construction Inspection of the Zupanija Bureau for Landscaping, Housing and Communal Affairs, Construction and Environmental Protection, Daruvar Office, in the process of inspecting the utilization and maintenance, i.e., the state of the building of the Orthodox church at Siras, Stjepana Radica Street, owned by the Greek Eastern Church of Our Lady, adopts the following:

1. Decision

1. The Greek Eastern Church of Our Lady, the owner of the building of the Orthodox church at Siras, Stjepana Radica Street, built on site No. 1 at Siras, is ordered to remove this church because it has been substantially damaged by the devastations of war and directly threatens the stability of the entire building, thus posing a direct threat to adjacent buildings, human life and traffic safety.

2. The owner is obliged to remove the building within 15 days from the service of this decision and the removal must be carried out professionally with all precautionary measures so as not to jeopardize the life and health of people and traffic safety, and to prevent possible damage to adjacent buildings through a prior technical description of the removal of the building.

3. The owner is obliged to clean and neatly stack the usable construction material on the site, to remove the remaining material and dispose of it at the specially designated scrap yard at Gornji Daruvar and, subsequently, to level the construction site.

4. Prior to carrying out this decision, the owner is obliged to obtain the approval of the Regional Institute for the Protection of Cultural Monuments in Osijek, since the building is protected as a cultural monument.

If the owner fails to obtain the said approval or to submit the request at all, this will be effected ex officio by a provisional representative at the expense of the owner.

If the owner removes the said building without obtaining the approval, he is subject to punishment under the Law on the Protection of Cultural Monuments (N.N. 7/67) under which such behaviour is punishable as a criminal act.

5. If the owner of the building does not act according to paragraphs 1, 2 and 3 of the foregoing statement, this decision shall be carried out ex officio by another person at the owner's expense, and the removal costs will be covered by

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confiscation of the remaining usable building material and equipment and their sale at public auction.

If the funds provided by this sale are insufficient to cover the removal costs, payment of the outstanding costs will be effected through the court.

6. A separate conclusion concerning the costs of the removal procedure will be adopted.

7. Pending the enforcement of this decision, the owner is obliged to immediately prevent access to the said building and to undertake safety measures such as fencing the building with a visible yellow band, placing warning signs and disconnecting utilities.

8. An appeal against this decision shall not prevent its enforcement.

2. Explanation

At the on-site examination effected by an inspection commission on 7 July 1994, the construction inspector of the Zupanija Bureau for Landscaping, Housing and Communal Affairs, Construction and Environmental Protection, Daruvar Office, established in the matter of inspection of the condition of the Orthodox Church building at Siras, Stjepana Radica Street, built on site No. 1, Siras, owned by the Greek Eastern Church of Our Lady, that due to war devastations in 1991-1992, said building was substantially damaged and its stability affected, so that it posed a permanent danger because of the possibility of further uncontrolled dilapidation.

Description of the building and damages: the Orthodox church, Greek Eastern Church of Our Lady, at Siras, was approximately 7 metres wide by 15 metres long; it consisted of belfry, nave, saddle roof; was built of brick, ceiling, wooden roof covered with tile; damage: the church has been completely destroyed and no usable building material remains (carted away).

Because of the damage described, the building poses a threat to adjacent buildings, human lives and traffic safety so that it is necessary to remove the building in its entirety since the threat cannot be eliminated in any other way (repair is not possible).

The remaining building material will be used by the owner, to the extent possible; for the unusable part, a scrap yard is provided at Gornji Daruvar.

In pursuance of the information presented, the above decision has been adopted on the basis of the Law on Construction.

3. Legal remedy

The wronged party may appeal this decision, within 15 days from its receipt, with the Ministry of Construction and Environmental Protection of the Republic of Croatia in Zagreb, Vukovarska Avenija 78.

An appeal against the minutes may be lodged, in writing or orally, through this Bureau or directly to a body of second-instance, which is subject to the administrative fee of 4.00 K under Tar. No. 3 of the Law on Administrative Fees (People's Gazette of the Republic of Croatia, No. 97/93).

(Signed) Mirjana HORVAT
Construction Inspector

cc: 1. The owner, the Greek Eastern Orthodox Church of Our Lady at Siras, Stjepana Radica Street

2. Municipality of Siras

3. Inspection, loco.

4. Announcement board

5. Documents office

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APPENDIX II

Report dated 28 January 1993 of the Republic of Croatia Institute for the Protection of Cultural Monuments, Varazdin, on the explosion in the Apostles Michael and Gabriel Parish Church at Velika Musna, Municipality of Koprivnica

According to the information of the Police Station at Koprivnica of 12 January 1993 on the explosion in the Apostles Michael and Gabriel Parish Church at Velika Musna, the conservators of this Institute went to the site on 26 January 1993 to establish and document the damage done.

Upon examination of the church, the following damage was ascertained:

(1) Two floorboards in the elevated part directly in front of the iconostasis (in front of the middle gate), made of painted cement, dimensions: 30 cm x 30 cm, directly damaged in the radius of 15 cm where the bomb (explosive) was planted;

(2) Iconostasis made of wood and painted (1904), damaged in the lower zone between the left and right gate. The damage was caused indirectly by shrapnel of the bomb, which made deep cuts, destroying the painted surface, as well as the basic foundation (wood). In addition, the decorative parts of the middle gate (affected by worms) also fell off as a result of the explosion. Upon examination of the iconostasis, it was established that the architecture itself was still in good condition (sound and solid wood), while the icons, probably painted on a wooden foundation, were of inferior quality and were affected by worms so that they peeled;

(3) Two light bodies in front of the iconostasis, made of cast iron with glass decorations, sustained minor damage (broken prong and decorations);

(4) The window-pane glass was cracked. On the basis of the examination, we have ascertained that the damage done will not cause further dilapidation of the building and its inventory, so that urgent protective measures are not necessary.

The restoration of the church and its inventory, related to the regular maintenance and replacement of the damaged parts, should be planned in cooperation with competent institutions; the Institute will, within the bounds of its capacities and competence, be involved in all restoration activities.

(Signed) Zeljko TRSTENJAK
Director

cc: 1. Ministry of Culture and Education,
Institute for the Protection of
Cultural Monuments, Zagreb

/...

2. Regional Institute for the Protection of Cultural Monuments, Zagreb

3. Orthodox Church Community, P. Preradovica 19, Varazdin

4. Local community of Velika Musna

5. Bjelovar Police Administration, Koprivnica Police Station

6. Documents office, loco.

APPENDIX III

Requests for baptismal certificates

1. Request of Vasilije Kudjeljic to the Serbian Orthodox Church Community, Zagreb

I kindly request the Serbian Orthodox Church Community to issue a certificate that my children were baptized in the Serbian Orthodox Church.

As the father of the children, I need the certificate to prove that my children have been baptized, since they are subject to insults and disparagement by some schoolchildren (Catholic) as if they were not Christians.

2. Request of Branko Batinic to the Serbian Orthodox Church Eparchy, Zagreb

I, Branko Batinic, the father of Sasa Batinic, kindly request a certificate that my son Sasa has been baptized in the Serbian Orthodox Church.

The certificate is needed for the first Communion in the Catholic Church, requested by Catholic priest Tepes.

3. Request to the Church of the Holy Cross, Zagreb

As Marina Mandic will have the first Communion in the Church of the Holy Cross at Siget, the Church is kindly requested to issue her a certificate that she has been baptized.

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ON THE WORK OF THE ORGANIZATION
REPORT OF THE SECURITY COUNCIL
REPORT OF THE ECONOMIC AND SOCIAL
COUNCIL
COOPERATION BETWEEN THE UNITED
NATIONS AND THE CONFERENCE
ON SECURITY AND COOPERATION
IN EUROPE

SECURITY COUNCIL
Forty-ninth year

Letter dated 22 December 1994 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General

In my capacity as representative of the European Union, I have the honour to transmit to you the text of the conclusions on foreign relations of the summit meeting of the European Council held on 9 and 10 December 1994 at Essen, Germany (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under the items entitled "Report of the Secretary-General on the work of the Organization", "Report of the Security Council", "Report of the Economic and Social Council" and "Cooperation between the United Nations and the Conference on Security and Cooperation in Europe", and of the Security Council.

(Signed) Detlev GRAF ZU RANTZAU
Ambassador
Permanent Representative

94-51708 (E) 301294 311294

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ANNEX

[Original: English and French]

The external relations of the European Union

The European Union is making an essential contribution to overcoming the legacy of past divisions and promoting peace, security and stability in and around Europe. Following its enlargement to 15 member States on 1 January 1995, the European Union will embark on its programme to prepare for the accession of all European countries with which it has concluded Europe Agreements. The European Union, recognizing the need for balance in its relations with all its neighbours, is also developing a programme to establish a Euro-Mediterranean partnership to promote peace, stability, prosperity and cooperation in the region. It will continue to cooperate with the countries of the European Economic Area and Switzerland, seeking to develop closer ties of political and economic cooperation with them.

The European Council emphasizes the significance of the transatlantic relations of the European Union with the United States and Canada on the basis of the transatlantic declarations of November 1990. It welcomes the agreement expressed at the European Union-Canada summit meeting held on 6 July 1994 at Bonn and at the European Union-United States summit meeting held on 12 July 1994 at Berlin to develop relations further. It takes note with approval of the establishment by the European Union-United States summit meeting of ad hoc study groups. It trusts that suggestions for closer cooperation worked out by the study groups will be submitted to the forthcoming summit meeting.

The development of the European Union's relations with the Russian Federation is an essential element in the maintenance of peace, security and stability in Europe. The European Council looks for the early ratification of the Partnership and Cooperation Agreement and is determined to exploit to the full its possibilities. It looks forward to a sustained constructive dialogue and partnership with Russia on political and economic issues.

The European Council welcomes the signing on 18 July of the Partnership and Cooperation Agreement with Ukraine, as well as the adoption of a common position setting out European Union objectives and priorities regarding Ukraine. The European Council welcomes the economic reforms that have been introduced in Ukraine, the adjustment programme agreed on with the International Monetary Fund and the political decision of principle by the Economic and Financial Affairs Council on 5 December 1994 to grant Community balance-of-payments aid, which should now be implemented with all speed. It urges Ukraine to continue energetically with the reforms initiated, and looks forward to constructive cooperation in the implementation of the action plan agreed on in Corfu for the speedy closure of Chernobyl. The European Union will continue to support the democratic and economic reforms in Ukraine. It welcomes the ratification by Ukraine, as a non-nuclear State, of the Treaty on the Non-Proliferation of Nuclear Weapons.

1. Relations with the countries of Central and Eastern Europe

The European Council confirms the conclusions of the European Councils in Copenhagen and Corfu that the associated States of Central and Eastern Europe can become members of the European Union if they so desire and as soon as they are able to fulfil the necessary conditions.

The European Council has decided to boost and improve the process of further preparing the associated States of Central and Eastern Europe for accession to the European Union. It is doing so in the knowledge that the institutional conditions for ensuring the proper functioning of the Union must be created at the 1996 intergovernmental conference which for that reason must take place before accession negotiations begin. The European Council has decided on a comprehensive strategy submitted by the Council and the Commission at the request of the European Council in Corfu for preparing those countries for accession to the European Union.

The strategy is tailored to the needs of the countries with which Europe Agreements were concluded and will be applied to other countries with which such Agreements are concluded in the future.

The European Council requests the Commission and the Council to do everything necessary to ensure that Europe Agreements can be concluded with the Baltic States and Slovenia under the French Presidency, so that those States can be included in the preparation strategy for accession to the European Union.

The strategy adopted by the European Council is being politically implemented by the creation, between the associated States and the institutions of the European Union, of "structured relations" that encourage mutual trust and will provide a framework for addressing topics of common interest.

The key element in the strategy to narrow the gap is preparation of the associated States for integration into the internal market of the Union.

The European Council requests the Commission to submit a White Paper on this subject in time for its next meeting and to report annually to the General Affairs Council on the progress of implementation of the accession preparation strategy that has been adopted, in particular on the gradual adoption of the internal market rules.

In addition, the European Council requests the Commission to submit as quickly as possible the detailed analysis desired by the Council of the effects of enlargement in the context of the Union's current policies and their future development.

The European Council further calls on the Commission to submit a study of means of developing relations between the European Union and the associated countries of Central and Eastern Europe in the agricultural sector during 1995, with a view to future accession.

Preparation for the internal market is to be backed up by a variety of measures designed to promote integration through the development of

infrastructure and of cooperation in fields having above all a trans-European dimension (including energy, environment, transport, science and technology) in the fields of common foreign and security policy and of justice and home affairs. The programme of Assistance for Economic Restructuring in the Countries of Central and Eastern Europe (PHARE), appropriately funded within a multi-year financial framework in accordance with the preparatory strategy agreed upon, will provide financial support for the purpose.

Being aware of the role of regional cooperation within the Union, the Heads of State and Government emphasize the importance of similar cooperation between the associated countries for the promotion of economic development and good neighbourly relations. The Council has therefore approved a programme to promote such cooperation. That programme will also contribute to the objectives of the Stability Pact.

It is the European Council's belief that this strategy by the Union and the associated countries will help to prepare for accession and make the associated countries better able to assume their responsibilities as future member States.

The European Council regards the narrowing of the gap between the countries of Central and Eastern Europe and the European Union and Western European Union (WEU) as a contribution to security and stability in Europe. The European Council welcomes the intention of the WEU to initiate deliberations on the new security situation in Europe, including the suggestion that a White Paper on security in Europe should be prepared.

2. Mediterranean policy

The Mediterranean represents a priority area of strategic importance for the European Union.

The European Council therefore welcomes the report submitted by the Council, in response to its request in Corfu, drawn up on the basis of a communication from the Commission; it reiterates the European Union's willingness to support the Mediterranean countries in their efforts progressively to transform their region into a zone of peace, stability, prosperity and cooperation, and to this end its willingness to establish a Euro-Mediterranean partnership, development appropriate agreements, progressively strengthen trade relations between the parties on the basis, inter alia, of the results of the Uruguay Round of multilateral trade negotiations, and, in the light of the Community's changing priorities, maintain an appropriate balance in the geographical allocation of Community expenditure and commitments.

The European Council recalls its decision in Corfu to conclude the negotiations with Morocco, Tunisia and Israel by the end of the year.

With regard to the additional financial aid in support of future Mediterranean policy, it asks the Council and the Commission to put into effect the principles set out in the Council's report.

It confirms the great importance it attaches (a) to opening similar negotiations in the near future with Egypt and other eligible Mediterranean countries that wish to do so; (b) to continuing economic support to Algeria, as envisaged by the European Council in Corfu, while calling for a dialogue among all those who reject violence; and (c) to concluding the negotiations with Turkey on the completion and unrestricted implementation of the customs union and to reinforcing relations that partner.

It confirms that the next phase of enlargement of the Union will involve Cyprus and Malta, and it invites the Council to examine in early 1995 new reports to be presented by the Commission.

Further, the European Council welcomes the intention of the future Spanish Presidency to convene in the second half of 1995, a Euro-Mediterranean ministerial conference with the participation of all Mediterranean countries concerned, and the intention of the French Presidency to give high priority to intensive preparation for that conference. The Conference should permit an in-depth discussion of future relations between the Union and the Mediterranean countries, addressing all relevant political, economic, social and cultural issues. It should reach agreement on a series of economic and political guidelines for Euro-Mediterranean cooperation into the next century, and it will establish a permanent and regular dialogue on all subjects of common interest.

The European Council expresses concern at the emergence of extremist and fundamentalist forces in a number of North African States. European Union policy must take account of those developments.

The European Council considers that Israel, because of its high level of economic development, should enjoy special status in its relations with the European Union on the basis of reciprocity and common interests. In the process, regional economic development in the Middle East, including the Palestinian areas, will also be boosted. The European Council requests the Council and the Commission to report to it at its next meeting on action taken.

The European Council agreed that, as the largest international donor, the European Union should continue to make a significant economic and political contribution in support of the Middle East peace process, in particular in the reconstruction of the Palestinian areas.

The European Council welcomes the conclusion of the Israel-Jordan peace agreement, which consolidates and strengthens the positive development in relations between the two countries.

3. Situation in the former Yugoslavia

The European Council has adopted a separate statement on this subject.

4. Human rights

The European Council made a statement to the press expressing its concern that freely elected members of parliament had been sentenced to imprisonment in Turkey, and urging respect for human rights.

5. Conference on Security and Cooperation in Europe

The European Council regrets that no agreement was reached on the situation in the former Yugoslavia at the meeting of the Heads of State and Government of the Conference on Security and Cooperation in Europe (CSCE), held at Budapest on 5 and 6 December 1994. It expressly welcomes the call for humanitarian aid, made on the initiative of the President of the European Council, especially for the region of Bihac.

The European Council welcomes the other results of the CSCE summit meeting. In particular, the intention of providing, subject to appropriate conditions, a multinational peace force for Nagorny Karabakh under the planned Security Council resolution and the decision to discuss all aspects of a future European security model confirm the important role of the future Organization of Security and Cooperation in Europe as a part of a Europe-wide security structure.

The European Council further confirms the great significance it attaches to the success of the joint action for concluding the Stability Pact for Europe. It welcomes the results achieved heretofore in implementing this initiative.

6. Asia

The European Council emphasizes the economic and political significance of the countries of the Asia-Pacific region and reaffirms that the European Union and its member States wish to strengthen cooperation and dialogue at all levels with the countries and regional organizations in the Asia-Pacific region, in particular the Association of South-East Asian Nations.

It welcomes the Council report on European Union strategy on Asia and urges the Council and the Commission to report to it as soon as possible on the practical measures taken in that regard.

7. Latin America

The European Council reaffirms the resolve expressed in the European Union's "basic paper" on its relations with the Latin American and Caribbean States to establish a new, comprehensive partnership between the two regions. It urges the Council and the Commission, working on the basis of the Council's report, to create as quickly as possible the conditions for an early opening of negotiations with the Mercado Común Sudamericano (MERCOSUR) States on an interregional framework agreement, including a memorandum of understanding, and to put into concrete form without delay ideas on the future form of treaty relations with Mexico and on the extension of relations with Chile.

8. Africa

The European Council reaffirms the European Union's link with the African, Caribbean and Pacific Group of States (ACP Group), which has found expression in the Lomé Conventions. It confirms that priority will also be accorded in the future to the further development of relations. In this connection, particular importance is attached to the negotiations for the mid-term review of Lomé IV begun in 1994.

The European Council welcomes the recent signing of an Angolan peace agreement at Lusaka, and strongly urges the parties to abide fully by the terms of that agreement.

The European Council welcomes the stepping-up of cooperation with southern Africa as a result of the first meeting of European Union foreign ministers and the Southern African Development Community, and advocates the continuation of this cooperation in all spheres. It also advocates an intensive political dialogue between the European Union and the Organization of African Unity, in particular regarding conflict prevention in Africa.

The European Council is concerned at the worsening situation of the refugees on Rwanda's borders and the associated risk of regional destabilization. While emphasizing their extreme urgency, it welcomes the current initiatives of the international community aimed at easing the return of the refugees, supporting the Government of Rwanda in restoring the rule of law, and encouraging national reconciliation.

9. Treaty on the Non-Proliferation of Nuclear Weapons

The European Council reaffirms the European Union's firm and full commitment, already expressed by the European Council in Corfu, to the goals of universality and of indefinite and unconditional extension of the Treaty on the Non-Proliferation of Nuclear Weapons. The European Union will continue its endeavours to further this objective within the context of its joint action on preparation for the 1995 conference on the Treaty.

10. Nuclear smuggling

The European Council voiced its concern regarding nuclear smuggling, and approved measures and guidelines to combat it. It calls on the Commission and member States to step up their cooperation in this field and effectively to assist countries of origin or transit in taking action on the ground. It also calls on all States which have not yet done so to place their sensitive civilian materials - plutonium and highly enriched uranium - under international safeguards.

11. World Summit for Social Development

The European Council is following with particular attention the preparations for the World Summit for Social Development, to be held at Copenhagen from 6 to 12 March 1995. The European Union is actively involved in the preparation process for the conference and is committed to its successful conclusion.

12. Berlin Conference on the United Nations Framework Convention on Climate Change

The European Council confirms that, at the first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held at Berlin in March/April 1995, it intends to secure a stabilization of carbon dioxide emissions in the industrialized countries at 1990 levels up to the year 2000, in order to protect the climate from harmful changes, and to consider how a similar commitment can be brought about beyond the year 2000.